

**Notice of Allowability**

Application No.

09/616,232

Examiner

Tony Mahmoudi

Applicant(s)

MERK ET AL

Art Unit

2175

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 16-July-2003.
2. ☒ The allowed claim(s) is/are 1-38.
3. ☒ The drawings filed on 14 July 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                     | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | 6 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

*Charles L. Rones*  
**CHARLES RONES**  
**PRIMARY EXAMINER**

### DETAILED ACTION

#### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16-July-2003 has been entered.

#### *Remarks*

2. In response to communications filed on 16-July-2003, claims 1-2, 34, and 37-38 are amended per applicant's request. Claims 1-38 are pending in the application.

#### *Allowable Subject Matter*

3. Claims 1-38 are allowed over the prior art made of record.
4. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record, White et al (U.S. Patent No. 6,438,559), Kumar et al (U.S. Patent No. 6,343,287), Hohle et al (U.S. Patent No. 6,101,477), and Shaw et al (U.S. Patent No.

Art Unit: 2175

6,362,836) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

Method of producing a compact representation of a data package, the data package comprising at least one of meta-data and associated data elements and meta-data and associated data packages, where the meta-data comprises at least one of name and type identifications for the data element and name and type identifications for the data package, comprising the steps of:

- a) arranging of the data packages in a sequence;
- b) searching of the meta-data for defined, non application-dependent name and type identifications; and
- c) representing the identifications found in step b) by replacing the identifications with defined substitutes which require little storage space, as claimed in claim 1.

The prior art of record, White et al (U.S. Patent No. 6,438,559), Kumar et al (U.S. Patent No. 6,343,287), Hohle et al (U.S. Patent No. 6,101,477), and Shaw et al (U.S. Patent No. 6,362,836) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

Method of producing a compact representation of a structure of meta-data and data elements, with the correlation of meta-data with data, comprising data elements or a sub-structure of a structure being performed by a program and with the meta-data comprising at least name and type identifications for the data, comprising the steps of:

- a) combining of meta-data and associated data to form a plurality of data packages;

Art Unit: 2175

- b) arranging of the data packages in a sequence;
- c) searching the meta-data for defined, non- application-dependent identifications; and
- d) representing the identifications found in step c) by replacing the identifications with defined substitutes which require little storage space, as claimed in claim 2.

Claims 3, 5, 8, 10, 12-13, 15, 17, 19, 21, 23, 25, 27, 29, 31, and 33 are allowed because they are dependents from the allowed independent claim 1.

Claims 4, 6-7, 9, 11, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, and 34 are allowed because they are dependents from the allowed independent claim 2.

The prior art of record, White et al (U.S. Patent No. 6,438,559), Kumar et al (U.S. Patent No. 6,343,287), Hohle et al (U.S. Patent No. 6,101,477), and Shaw et al (U.S. Patent No. 6,362,836) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

- a) a data-processing device;
- b) communications means;
- c) a chip card, with data being exchangeable between the data-processing device and the chip card via the communications means, characterized in that a program to control a method according to claim 1 can be installed on the data-processing device and the result of the method according to claim 1 is stored on the chip card, as claimed in claim 35.

Art Unit: 2175

The prior art of record, White et al (U.S. Patent No. 6,438,559), Kumar et al (U.S. Patent No. 6,343,287), Hohle et al (U.S. Patent No. 6,101,477), and Shaw et al (U.S. Patent No. 6,362,836) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

- a) a data-processing device;
- b) communications means;
- c) a chip card, with data being exchangeable between the data-processing device and the chip card via the communications means, characterized in that a program to control a method according to claim 2 can be installed on the data-processing device and the result of the method according to claim 2 is stored on the chip card, as claimed in claim 36.

The prior art of record, White et al (U.S. Patent No. 6,438,559), Kumar et al (U.S. Patent No. 6,343,287), Hohle et al (U.S. Patent No. 6,101,477), and Shaw et al (U.S. Patent No. 6,362,836) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

Computer software product which can be stored in the internal store of a digital computer, containing items of software code to carry out the method of producing a compact representation of a data package, the data package comprising at least one of meta-data and associated data elements and meta-data and associated data packages, where the meta-data comprises at least one of name and type identifications for the data element and name and type identifications for the data package, comprising the steps of:

- a) arranging of the data packages in a sequence;

Art Unit: 2175

b) searching of the meta-data for defined, non application-dependent name and type identifications; and

c) representing the identifications found in step b) by replacing the identifications with defined substitutes which require little storage space, as claimed in claim 37.

The prior art of record, White et al (U.S. Patent No. 6,438,559), Kumar et al (U.S. Patent No. 6,343,287), Hohle et al (U.S. Patent No. 6,101,477), and Shaw et al (U.S. Patent No. 6,362,836) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

Computer software product which can be stored in the internal store of a digital computer, containing items of software code to carry out the method of producing a compact representation of a structure of meta-data and data elements, with the correlation of meta-data with data, comprising data elements or a sub-structure of a structure being performed by a program and with the meta-data comprising at least name and type identifications for the data, comprising the steps of:

a) combining of meta-data and associated data to form a plurality of data packages;  
b) arranging of the data packages in a sequence;  
c) searching the meta-data for defined, non- application-dependent identifications; and  
d) representing the identifications found in step c) by replacing the identifications with defined substitutes which require little storage space, as claimed in claim 38.

Art Unit: 2175

***Conclusion***

5. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

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September 22, 2003

*Charles Rones*  
**CHARLES RONES**  
**PRIMARY EXAMINER**